COVENANT AND PETITION OF OKLA FALAYA —

MISSISSIPPI CHOCTAW FREEDMEN OF OKLA FALAYA

A Unified Instrument of Self-Governance, Self-Determination, Proof of Claim,

Federal Administrative Record, Foundational Membership Roll,

and Petition for Federal Acknowledgment

Executed Pursuant to the Indian Reorganization Act of 1934,

25 U.S.C. § 458aaa, and the Treaty of Dancing Rabbit Creek

IRS Trust ID: ——6982 • LACEY ACT COMPLIANT

Filed: 6/12/2020, St. Joseph County, Indiana

Case 2021CH05087, Cook County, IL, Circuit Clerk Iris Y. Martinez

El Haq Malak Bey

Principal Architect, Chief, and Authorized Representative

of the Nation of Okla Falaya

SET IN TRUTH · HELD IN BALANCE · WALKED IN PURPOSE

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CLOSING

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BOOK I

PETITION FOR FEDERAL ACKNOWLEDGMENT

UNDER 25 CFR PART 83

Section 1 — Cover Letter

TO:

Assistant Secretary — Indian Affairs

U.S. Department of the Interior

1849 C Street NW

Washington, DC 20240

CC:

Bureau of Indian Affairs (OMB Control 1076-0153)

Embassy of the People's Democratic Republic of Algeria

2118 Kalorama Road NW, Washington, DC 20008

Legislators Branch 001:00:99

FROM:

El Haq Malak Bey, Principal Chief, UNA-0530181

On behalf of the Okla Falaya Band of Mississippi Choctaw Freedmen

RE: Petition for Federal Acknowledgment Pursuant to 25 CFR Part 83

Dear Assistant Secretary:

The undersigned, El Haq Malak Bey, Principal Chief and Authorized Representative of the Nation of Okla Falaya, acting in his capacity as Chief Executor and Owner on behalf of the Brahman Spirit Tribe Estate Corp., hereby submits this Unified Instrument as a formal petition for federal acknowledgment of the Okla Falaya Band of Mississippi Choctaw Freedmen pursuant to 25 CFR Part 83.

This petition demonstrates satisfaction of all seven (7) mandatory criteria established under 25 CFR § 83.11(a) through (g), as set forth in the body of this instrument. The petitioner relies upon, inter alia, the Treaty of Dancing Rabbit Creek (1830), the Treaty of 1866, and the Treaty of Hopewell (1786) as foundational instruments establishing the perpetual rights, entitlements, and sovereign character of the Choctaw Freedmen and their descendants.

The Brahman Spirit Tribe meets all requirements for federal acknowledgment as a distinct American Indian entity with continuous existence, community, political authority, and governing documents as required by the applicable regulations.

This petition is submitted by El Haq Malak Bey, Chief Executor and Owner, on behalf of the Brahman Spirit Tribe Estate Corp. Proxy: Clinton Lamont Montgomery, Plan Administrator and General Partner. The Choctaw Chickasaw and Al-Moroccan Spirit Tribe is the Seat of Government.

The petitioner references the following authorities and identifiers in support of this submission:

- Non-UCC License 24435512
- Treaty of Peace and Friendship 1866
- Treaty of Peace and Friendship 1836 (Al-Moroccan Emperor)
- Algerian-Mauritanian Nationality
- OMB Memorandum M-12-18 and M-14-16
- Federal Communications Number: 0028808145

This petition is filed in good faith and in full compliance with all applicable federal regulations. The undersigned respectfully requests that the Office of Federal Acknowledgment review this petition on an expedited basis and afford the Okla Falaya Band all rights and protections afforded to petitioning groups under 25 CFR Part 83.

Respectfully submitted,

El Haq Malak Bey

Principal Chief, UNA-0530181

Nation of Okla Falaya

Section 2 — Executive Summary

This petition satisfies all seven (7) mandatory criteria for federal acknowledgment under 25 CFR Part 83, as enumerated in 25 CFR § 83.11(a) through (g). The evidence supporting each criterion is summarized below and detailed in the body of this instrument:

Criterion	Regulatory Requirement	Summary of Evidence
§ 83.11(a)	Identification as American Indian entity since 1900	Freedmen's Bureau records (1865) documenting Elias Smoot; treaty obligations; federal administrative identifiers (IRS Trust IDs, USDOT, UNA membership); census records 1870–1950.
§ 83.11(b)	Distinct community on a substantially continuous basis	Census clusters in Hinds, Madison, and Rankin Counties, Mississippi; kinship networks; documented migration patterns from Mississippi to Illinois, Indiana, Missouri, and Wisconsin; continuous household structures.
§ 83.11(c)	Political influence or authority over members	UNA OF THE USA: BETTER WORLD FUND INC., ID-UNA0530181; family-based leadership; modern governance structures; Illinois gubernatorial candidacy — Allies of Clinton Montgomery, Committee ID# 36260; Montgomery Family Irrevocable Trust; court-recognized governance authority.

§ 83.11(d)	Governing document	Indian Charter 71C01-2006-TR-000002; Charter and Constitution of the Okla Falaya Nation.
§ 83.11(e)	Descent from historical tribe	Smoot-Jacobs-Montgomery lineage documented through five generations; census records 1870–1950; Freedmen's Bureau labor contracts.
§ 83.11(f)	No Congressional termination	Treaty of 1866 and Treaty of Dancing Rabbit Creek protections remain in force; no termination act exists.
§ 83.11(g)	Not part of another acknowledged tribe	Affidavit of Protective Names; Disclosure Statement confirming distinct identity and no affiliation with any federally recognized tribe.

Section 3 — Statement of Continuous Tribal Existence

The Okla Falaya Band of Mississippi Choctaw Freedmen hereby declares and affirms that it has maintained continuous tribal existence as a distinct American Indian entity from the date of the Treaty of Dancing Rabbit Creek (September 27, 1830) through the present day, a period spanning nearly two hundred years of unbroken community, governance, and cultural identity.

The Mississippi Choctaw Nation has been identified as an American Indian entity on a substantially continuous basis since 1883. The community's existence is documented through the following unbroken chain of evidence:

1. **Treaty Period (1786–1866):** The Treaty of Hopewell (1786), the Treaty of Dancing Rabbit Creek (1830), and the Treaty of 1866 established the rights, land entitlements, and political status of the Choctaw people and their Freedmen. Article XIV of the Treaty of Dancing Rabbit Creek guaranteed 640-acre allotments. Article 3 of the Treaty of 1866 established a $300,000 fund and 40-acre Freedmen entitlements.
2. **Post-Removal Period (1865–1900):** Freedmen's Bureau labor contracts (1865) document Elias Smoot and Sylvester Smoot as members of the Choctaw Freedmen community. United States Census records from 1870 forward document continuous family and community presence in Madison and Hinds Counties, Mississippi.
3. **Migration Period (1900–1950):** The community maintained cohesion through documented migration from Mississippi to Chicago (Illinois), Indianapolis (Indiana), St. Louis (Missouri), and Madison/Wisconsin Dells (Wisconsin), with continuous kinship networks and mutual support structures.
4. **Modern Period (1950–Present):** Modern governance structures, federal filings, IRS trust entities, USDOT registration, and court filings in Cook County, Illinois, demonstrate the continuous exercise of political authority, self-governance, and community identity.

At no point in this nearly two-century history has the Okla Falaya Band ceased to exist as a community, abandoned its governance structures, or relinquished its treaty-protected rights. The Congress of the United States has never enacted any legislation terminating the federal relationship with the Choctaw Freedmen or their descendants.

Section 4 — Historical Narrative

4.1 Origins in the Choctaw Nation

The Okla Falaya Band traces its origins to the Choctaw Nation and the treaty obligations established by the United States government with the Choctaw people. The foundational instruments governing the rights of the Choctaw Freedmen include:

Treaty of Dancing Rabbit Creek (1830), Article XIV: This article guaranteed each Choctaw head of family desiring to remain and become a citizen of the States a 640-acre allotment, thereby establishing a perpetual land entitlement for Choctaw people and their descendants who remained east of the Mississippi River.

Treaty of 1866, Article 3: This article established a $300,000 fund and 40-acre Freedmen entitlements. The Choctaws and Chickasaws ceded all territory west of the 98th degree of longitude, and the sum of $300,000 was to be invested at five percent (5%) for the benefit of Freedmen adoption into the respective nations.

Atoka Agreement (30 Stat. 495): Provided that all lands in Indian Territory belonging to the Choctaw and Chickasaw tribes shall be allotted to the members of said tribes so as to give to each member of these tribes an equal share of the whole in value.

Supplemental Agreement (32 Stat. 641): Each member of the Choctaw and Chickasaw tribes was to be allotted land equal in value to 320 acres of average land; each freedman was to be allotted land equal in value to 40 acres of average land.

Governor B.F. Overton's 1877 Approval: Governor B.F. Overton of the Chickasaw Nation approved the enrollment of Freedmen, further confirming their status within the Choctaw-Chickasaw political structure.

It is the position of this petitioner that all Negroes of African Descent from Hinds or Madison County, Jackson, Mississippi, were in fact members of the Mississippi Choctaw Nation, as

documented through census records, Freedmen's Bureau records, and the treaty obligations described herein.

4.2 Post-Removal Continuity

Census records from 1860 through 1940 document the continuous presence of the Choctaw Freedmen community in Hinds and Madison Counties, Mississippi, and in Crittenden County, Arkansas. These records establish:

- Family household structures consistent with kinship-based community organization
- Geographic concentration in identifiable census clusters
- Occupational patterns consistent with agricultural and community-sustaining activities
- Literacy and educational attainment records demonstrating community investment in self-improvement

Beginning in the early twentieth century, members of the community migrated from Mississippi to major urban centers, including Chicago (Illinois), Indianapolis (Indiana), St. Louis (Missouri), and Madison/Wisconsin Dells (Wisconsin). Throughout this migration, the community maintained its kinship networks, mutual support structures, and cultural cohesion. Family reunions, shared resources, and continued communication between dispersed family units sustained the community's identity and governance capacity.

4.3 Twentieth and Twenty-First Century Continuity

In the modern era, the Okla Falaya Band has established and maintained formal governance structures in Cook County, Illinois. The Nation's headquarters are located at S944 Christmas Mountain, Wisconsin Dells WI 53965

Telephone: 314-643-7943, Montgomeryfamilyirrevocable@gmail.com

The modern governance of the Okla Falaya Band is evidenced by:

- Federal filings with the Internal Revenue Service establishing multiple trust entities
- Registration with the U.S. Department of Transportation (USDOT: 4152362)
- Court filings in Cook County, Illinois, establishing governance authority and trust administration
- Political candidacy filings with the Illinois State Board of Elections
- Membership and registration with the United Nations Association of the USA (UNA-0530181)

Section 5 — Genealogical Continuity Evidence

I. Introduction

This section establishes the unbroken genealogical lineage from the Choctaw Freedmen ancestors identified in historical records through five (5) generations to the present-day members of the Okla Falaya Band. This evidence satisfies the requirements of 25 CFR § 83.11(e), demonstrating descent from a historical Indian tribe.

II. Historical Origin

The founding ancestor of the documented lineage is **Elias Smoot**, born between 1855 and 1860 in Alabama, who migrated to Mississippi. Elias Smoot is documented in a Freedmen's Bureau Labor Contract dated 1865, establishing his identity as a Choctaw Freedman in the immediate post-Civil War period. **Sylvester Smoot** is also documented in contemporaneous Freedmen's Bureau records. The 1870 United States Census records both individuals in Madison County, Mississippi.

III. Treaty Foundation

The genealogical claim is grounded in the following treaty instruments:

- **Treaty of Dancing Rabbit Creek (1830):** Article XIV — 640-acre allotment guarantee
- **Treaty of 1866:** Article 3 — $300,000 fund; 40-acre Freedmen entitlements
- **Treaty of Hopewell (January 3, 1786):** Choctaw acknowledgment of American sovereignty and reciprocal protections
- **Treaty of Fort Smith:** Post-Civil War reaffirmation of tribal obligations

The rights established under these instruments are perpetual and have not been abrogated by any act of Congress.

IV. Continuous Community

Census records document the continuous presence of the Freedmen community in identifiable geographic clusters:

Community Map:

Layer	Period	Geographic Concentration
Layer 1 — Historical Core	1830–1900	Madison, Hinds, and Rankin Counties, Mississippi
Layer 2 — Migration Routes	1900–1950	Mississippi to Illinois (Chicago), Indiana (Indianapolis), Missouri (St. Louis), Wisconsin (Madison/Wisconsin Dells)

Layer 3 — Modern Clusters	1950–2026	Current community concentrations in Cook County, IL; St. Joseph County, IN; St. Louis County, MO; Sauk County, WI

V. Continuous Political Authority

Political authority within the community is documented from the Freedmen's Bureau labor contracts of 1865 — which demonstrate community leadership and collective organization — through the modern governance structures described in Section 6 of this instrument.

VI. Modern Government

The contemporary governance of the Okla Falaya Band is established through the following instruments and entities:

- **Indian Charter and Governing Instrument:** 71C01-2006-TR-000002
- **Montgomery Family Irrevocable Trust:** Court-recognized trust entity with fiduciary authority over tribal assets
- **Nation of Okla Falaya LLC (Trust ID ——5844):** 508(C)(1)(A) Faith Based Organization
- **UNA OF THE USA: BETTER WORLD FUND INC., ID-UNA0530181:** National and international representation

Haplogroup Evidence

Genetic and genealogical research supports the ancestral claims of the petitioner through the following haplogroup identifications: M1, M2 Jarawa, Marrakech groups E-M215-M183-M81,

X2b, L3, Macrohaplogroup M, and D-Y34637. These haplogroups are consistent with the ancestral origins and migration patterns described in this petition.

Section 6 — Political Authority & Governance Evidence (25 CFR § 83.11(c))

6.1 Historical Political Authority

The historical exercise of political authority within the Okla Falaya community is documented through the following evidence:

- **Elias Smoot and Sylvester Smoot — Freedmen's Bureau Labor Contracts (1865):** These contracts demonstrate community leadership, collective decision-making, and the capacity of Freedmen to enter into legally binding agreements on behalf of their families and community.
- **Census Records (1870, 1900, 1920):** These records document the continuity of family-based governance structures, household leadership, and community organization across multiple decades.
- **Community Governance Patterns:** Community decision-making, family-based leadership, social cohesion, and mutual support networks constitute the historical exercise of political authority as recognized under 25 CFR § 83.11(c).

6.2 Modern Political Authority

The modern exercise of political authority is documented through the following six (6) categories of evidence:

1. Montgomery Family Irrevocable Trust. The Montgomery Family Irrevocable Trust is the designated fiduciary instrument of the Okla Falaya Band. The Trust exercises authority over tribal assets through a designated trustee, carries fiduciary responsibilities recognized by law, and has been granted court-recognized legitimacy through probate filings in Cook County, Illinois.

2. Indian Charter and Governing Instrument (71C01-2006-TR-000002). This instrument establishes leadership roles, decision-making processes, membership criteria, and governance procedures for the Okla Falaya Band. It serves as the foundational governing document of the Nation.

3. Community Leadership in Chicago. The Okla Falaya Band maintains an active governance presence in Cook County, Illinois, with its headquarters at 5841 South Peoria, Chicago, IL 60621. Regular governance meetings and political activities are conducted at this location.

4. Illinois Gubernatorial Candidacy. Clinton Lamont Montgomery was officially recognized by the Illinois State Board of Elections as a statewide candidate for Governor of Illinois (Republican Party). The following details are a matter of public record:

- **Committee:** "Allies of Clinton Montgomery" (Committee ID# 36260)
- **Chair:** El Haq Malak Bey
- **Treasurer:** Clinton Lamont Montgomery
- **Custodian of Accounts:** El Haq Malak Bey
- **Address:** 5841 South Peoria, Chicago, IL
- **State Board Compliance:** March 24, 2022 — State Board compliance notice confirming active, recognized committee

5. Court-Recognized Leadership. Probate and chancery filings in Cook County, Illinois, identify the following governance roles: Trustee, Representative, Chief, Indian Claimant, and Governing authority. These court filings constitute external recognition of the petitioner's political authority.

6. Mr. Justice Gray Doctrine. The petitioner invokes the doctrine articulated by Mr. Justice Gray, holding that civil government cannot extend immediately over territory acquired by war, and that such territory is governed by military power under the President as commander in chief. This doctrine supports the sovereign character of the Okla Falaya Band's governance authority.

Section 7 — Community Continuity Evidence

The Okla Falaya Band presents census-based evidence of continuous community existence from 1870 to the present day. This evidence satisfies the requirements of 25 CFR § 83.11(b) and demonstrates the following elements of community continuity:

- Geographic continuity across identifiable census clusters
- Household structure consistent with kinship-based community organization
- Occupational patterns reflecting community economic activity
- Literacy and educational documentation reflecting community investment
- Historical context supporting continuous identification as a distinct community

The petitioner further relies upon the following scholarly authorities to support the proposition that racial classification as "Negro" or "Mulatto" in historical census records does not negate Native American or Choctaw identity:

Jack D. Forbes, The Classification of Native Americans as Mulattoes in Anglo-North America, documents the widespread practice of classifying persons of Native American ancestry under racial categories that obscured their indigenous identity.

Bureau of American Ethnology: "A considerable proportion of the blood of the southern Negroes is unquestionably Indian."

James Hugo Johnston (1937): Johnston documented that the mixed race population in America resulted from the union of Indian, Negro, and white populations; that many Indians were enslaved along the eastern seaboard; and that Indian blood was absorbed into the Negro slave population.

Almon W. Lauber, *Indian Slavery in Colonial Times* (1913): Lauber established the historical record of Indian enslavement and the consequent admixture of Native American and African-American populations.

These scholarly authorities confirm that the classification of Choctaw Freedmen descendants as "Negro" or "Mulatto" in United States Census records does not negate their Choctaw ancestry, identity, or treaty-protected rights.

Section 8 — Governing Documents

The Okla Falaya Band operates under the following governing instruments, which satisfy the requirements of 25 CFR § 83.11(d):

Indian Charter and Governing Instrument: 71C01-2006-TR-000002. This instrument establishes leadership roles, decision-making processes, membership criteria, and governance

procedures for the Okla Falaya Band. The Charter and Constitution of the Okla Falaya Nation are incorporated herein by reference.

Tribal Governance Identity Statement

(Incorporated from the Private Trust Affidavit)

I. PURPOSE. This statement establishes the relationship between the Tribal Nation, its governing authority, and the private estate entity designated as the administrative arm of the Nation.

II. IDENTITY OF TRIBAL NATION. The Okla Falaya Band of Mississippi Choctaw Freedmen is a private tribal community and cultural governance body established for the purposes of preserving lineage, cultural identity, internal governance, community affairs, and historical continuity.

III. IDENTITY OF ESTATE ENTITY. "THE GOVERNMENT OF THE UNITED STATES OF AMERICA, a private estate and trust organization domiciled in Illinois, acting through its authorized representative," serves as the administrative and fiduciary body of the Tribal Nation. The estate entity conducts property administration, trust management, internal governance, identity documentation, and organizational filings. The estate entity is a private legal person under applicable law.

IV. RELATIONSHIP. The estate entity is designated as the administrative arm, fiduciary body, record-keeping authority, property-holding entity, and instrument of internal governance of the Tribal Nation. The relationship between the Tribal Nation and the estate entity is private, voluntary, and organizational in character.

V. AUTHORITY OF AUTHORIZED REPRESENTATIVE. The authorized representative is empowered to: execute documents on behalf of the Tribal Nation and estate entity; administer property held for the benefit of the community; issue tribal identification instruments; and maintain governance records.

VI. LEGAL CHARACTER. The governance structure described herein complies with private trust and estate law and preserves the cultural and organizational identity of the Tribal Nation.

VII. FINAL STATEMENT. The estate entity is hereby affirmed as the recognized administrative and fiduciary body of the Okla Falaya Band of Mississippi Choctaw Freedmen.

Section 9 — Federal Interaction Evidence

The Okla Falaya Band has maintained continuous interaction with federal agencies, creating a substantial administrative footprint that demonstrates both federal awareness and the exercise of self-governance. The following records are submitted as evidence:

IRS Records

Entity	Trust ID	Function
CHOC (Main Government Trust)	——6982	Primary governance trust
Nation of Okla Falaya LLC	——5844	508(C)(1)(A) Faith Based Org.

Temple Mosque	——6259	Sacred/religious entity
Okla Falaya Estate Corp	——6313	Estate administration
Montgomery Family Trust	——7444	Family trust / fiduciary
Police the Police-Internal	——4632	Internal oversight
Okla Falaya Dispensary	——7604	Health/dispensary operations
Burning Bush Grow House	——4642	Agricultural operations

Additional Federal Records

- **SSA Records:** Social Security Administration records on file.
- **FMCSA / USDOT Records:** Better World Fund Inc. (USDOT: 4152362), DBA Brahman Spirit Tribe, registered on SAFER Web.
- **Federal Correspondence:** Federal Communications Number: 0028808145.
- **OFA Acknowledgment of Receipt:** On March 18, 2026, the Office of Federal Acknowledgment (ofa_info@bia.gov) confirmed receipt of materials submitted on February 23, 2026.
- **UNA OF THE USA:** BETTER WORLD FUND INC., ID-UNA0530181.

Section 10 — Membership Criteria

Section 1 — Foundational Principle. Membership in the Okla Falaya Band of Mississippi Choctaw Freedmen is based on documented descent from Choctaw Freedmen ancestors identified in historical records, including but not limited to Freedmen's Bureau records, United States Census records, tribal rolls, and treaty documents.

Section 2 — Eligibility Requirements. To be eligible for membership in the Okla Falaya Band, an individual must demonstrate:

1. Descent from a recognized Choctaw Freedman or Freedwoman documented in historical records;
2. Documentation of such descent through census records, Freedmen's Bureau records, family genealogical evidence, or other verifiable historical sources; and
3. Satisfaction of such additional criteria as the governing body may establish from time to time.

Section 3 — Verification Process. Membership applications shall be subject to a multi-step verification process, including:

1. Submission of documentary evidence of descent;
2. Genealogical tracing by the governing body or its designee;
3. Review and approval by the governing body in accordance with the Charter and Constitution; and
4. Issuance of tribal identification instruments upon approval.

Section 11 — Narrative Genealogical Summary

The following five-generation lineage chart documents the unbroken descent from the founding ancestor, Elias Smoot, through the present-day Principal Chief of the Okla Falaya Band:

GENERATION 1 — Founding Ancestor

Elias Smoot (born circa 1855–1860, Alabama; migrated to Mississippi)

Documented in Freedmen's Bureau Labor Contract (1865), Madison County, Mississippi.

Married: **Hannah A. Pugh** (Mississippi).

Child: Eugene G. Smoot (born 1884).

Sylvester Smoot — also documented in Freedmen's Bureau records, Madison County, Mississippi.

GENERATION 2

Eugene G. Smoot (1884–1959)

Married: **Viola Williams** (born circa 1897–1898, Mississippi).

Viola Williams was the daughter of **Jerry Williams** (born circa 1839, Mississippi) and **Priscilla Williams** (born circa 1857, Mississippi).

Children:

- Millie B. Smoot (born 1916)
- Allie B. Smoot (born 1917)
- Willie B. Smoot (born circa 1915)
- Belle Smoot (born circa 1919)
- Eugene Smoot Jr. (born circa 1928, Arkansas)

GENERATION 3

Willie B. Smoot / Willie B. Jacobs (granddaughter of Elias Smoot)

Married into the Jacobs line.

Child: Barbara Montgomery.

GENERATION 4

Barbara Montgomery (also known as Alice May Yates, 1944–2013)

Child: Bernia Montgomery (living).

GENERATION 5 — Present Day

Bernia Montgomery (living mother)

Child: **Clinton Lamont Montgomery (El Haq Malak Bey)** — Principal Chief of the Okla Falaya Band of Mississippi Choctaw Freedmen.

Williams-Smoot Lineage

Jerry Williams (born circa 1839, Mississippi) married **Priscilla Williams**. Their daughter **Viola Williams** married **Eugene G. Smoot**. This line traces through Hinds and Madison Counties, Mississippi, and Crittenden County, Arkansas, as documented in United States Census records from 1870 through 1940.

Section 12 — Criteria Crosswalk (25 CFR § 83.11)

The following crosswalk table demonstrates how the Okla Falaya Band satisfies each of the seven (7) mandatory criteria for federal acknowledgment:

Criterion	Regulatory Requirement	Evidence Submitted
83.11(a)	Identification as American Indian entity since 1900	Freedmen's Bureau Record (1865) documenting Elias Smoot; Treaty of Dancing Rabbit Creek; Treaty of 1866; Treaty of Hopewell; federal administrative identifiers (IRS Trust IDs, USDOT, UNA-0530181); census records 1870–1950.
83.11(b)	Distinct community on substantially continuous basis	Census clusters in Hinds, Madison, and Rankin Counties, MS; kinship networks documented across five generations; migration patterns from MS to IL/IN/MO/WI; continuous household structures in census records.
83.11(c)	Political influence or authority over members	UNA OF THE USA: BETTER WORLD FUND INC., ID-UNA0530181; family-based leadership (Freedmen's Bureau through present); Montgomery Family Irrevocable Trust; Allies of Clinton Montgomery (Committee ID# 36260, Illinois State Board of Elections); court-recognized governance authority in Cook County, IL.
83.11(d)	Governing document describing membership and governance	Indian Charter and Governing Instrument 71C01-2006-TR-000002; Charter and Constitution of the Okla Falaya Nation.

83.11(e)	Descent from historical Indian tribe	Smoot-Jacobs-Montgomery lineage across five generations; census records 1870–1950; Freedmen's Bureau labor contracts (1865); Williams-Smoot lineage documentation.
83.11(f)	Not subject to Congressional termination	Treaty of 1866 and Treaty of Dancing Rabbit Creek protections remain in full force and effect. No termination act has been enacted by the United States Congress with respect to the Choctaw Freedmen.
83.11(g)	Not part of another federally recognized tribe	Affidavit of Protective Names (Section 15); Disclosure Statement (Section 17). The Okla Falaya Band is a distinct entity with no affiliation to any federally recognized tribe.

Section 13 — Tribal Resolution Authorizing Submission

RESOLUTION NO. 2026-01

Adopted March 18, 2026

WHEREAS, the Okla Falaya Band of Mississippi Choctaw Freedmen is a distinct American Indian entity with continuous existence, community, and political authority from 1830 to the present; and

WHEREAS, the governing body of the Okla Falaya Band has determined that submission of a petition for federal acknowledgment under 25 CFR Part 83 is in the best interest of the Nation and its members; and

WHEREAS, the governing body has prepared, reviewed, and approved this Unified Covenant and Petition as a comprehensive instrument satisfying all requirements of 25 CFR Part 83;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Okla Falaya Band of Mississippi Choctaw Freedmen hereby authorizes and directs the submission of this Unified Covenant and Petition to the Bureau of Indian Affairs, Office of Federal Acknowledgment, U.S. Department of the Interior, and to all other agencies and bodies as may be necessary or appropriate.

BE IT FURTHER RESOLVED that El Haq Malak Bey, Principal Chief, is hereby authorized and directed to execute this instrument and all related documents on behalf of the Okla Falaya Band.

ADOPTED this 18th day of March, 2026, by the governing body of the Okla Falaya Band of Mississippi Choctaw Freedmen.

Section 14 — Governing Body Certification

We, the undersigned members of the governing body of the Okla Falaya Band of Mississippi Choctaw Freedmen, hereby certify that this Unified Covenant and Petition is a true, complete, and accurate statement of the facts, evidence, and authorities contained herein, and that the submission of this instrument to the Bureau of Indian Affairs has been duly authorized by the governing body.

El Haq Malak Bey, Principal Chief

Council Members:

Clinton Montgomery

Council Member

Aalina Avery Sade Montgomery

Council Member

Section 15 — Affidavit of Protective Names

The undersigned, El Haq Malak Bey, Principal Chief of the Okla Falaya Band of Mississippi Choctaw Freedmen, hereby declares under penalty of perjury that the following statement is true and correct:

The names appearing in previous filings with federal and state agencies are protective identifiers filed with the Internal Revenue Service and other agencies. These names were adopted as a security measure to protect the identity and assets of the Okla Falaya Band and its members during the period preceding formal federal acknowledgment.

The relationship between protective names and the legal identities used in various filings is as follows: all protective names are aliases, trade names, or assumed names adopted by authorized representatives of the Okla Falaya Band in the course of conducting governance, fiduciary, and administrative activities. These names are traceable to and controlled by the governing body of the Okla Falaya Band.

This affidavit is submitted to ensure full transparency and to prevent any confusion arising from the use of multiple identifiers in federal and state records.

Section 16 — Notary Acknowledgment

STATE OF MISSOURI

COUNTY OF ST. LOUIS

On this 18th day of March, 2026, before me, the undersigned notary public, personally appeared **El Haq Malak Bey**, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public, State of Missouri

Commission Expires: 04.11.2028

[SEAL]

Section 17 — Disclosure Statement

References to the Mississippi Band of Choctaw Nation contained within this instrument are historical and contextual only. No affiliation is claimed with the Mississippi Band of Choctaw Indians, a federally recognized tribe organized under the Indian Reorganization Act of 1934.

The Okla Falaya Band of Mississippi Choctaw Freedmen is a distinct entity petitioning for separate federal acknowledgment under 25 CFR Part 83. The petitioner's claim is based on descent from Choctaw Freedmen documented in Freedmen's Bureau records, United States Census records, and treaty instruments, and does not depend upon or derive from any claim of membership in or affiliation with any existing federally recognized tribe.

BOOK II

COVENANT OF SELF-GOVERNANCE

AND SELF-DETERMINATION

Part I — Prayer for Certification of Self-Government and Self-Determination Proposal

Article 1 — Model Compact of Self-Governance (25 CFR Appendix A to Part 1000)

The Okla Falaya Band of Mississippi Choctaw Freedmen hereby incorporates by reference the Model Compact of Self-Governance as set forth in 25 CFR Appendix A to Part 1000. The Compact establishes the framework for the Nation's exercise of self-governance authority and includes the following articles:

Article I — Authority and Purpose. This Compact is entered into pursuant to the authority granted by the Indian Self-Determination and Education Assistance Act, as amended, 25 U.S.C.

§ 458aa et seq., for the purpose of transferring programs, services, functions, and activities to the Okla Falaya Band.

Article II — Term of Compact. This Compact shall remain in effect for the duration specified therein and shall be subject to renegotiation and amendment as provided by law.

Article III — Trust Responsibility. Nothing in this Compact shall be construed to diminish or abrogate the trust responsibility of the United States to the Okla Falaya Band and its members.

Article IV — Sovereign Immunity. The Okla Falaya Band retains sovereign immunity to the full extent recognized by federal law.

Article V — General Provisions. This Compact shall be liberally construed to effectuate the purposes of tribal self-governance.

Filed: 6/12/2020, St. Joseph County, Indiana. Case 2021CH05087, Cook County, IL.

Article 2 — Northwest Ordinance of 1787

The Okla Falaya Band hereby incorporates by reference the Northwest Ordinance of 1787 (1 Stat. 50), enacted by the Congress of the Confederation on July 13, 1787, as foundational legal authority for the governance of territory and the protection of the rights of inhabitants therein. The Ordinance, comprising Sections 1 through 14 and Articles 1 through 6, establishes principles of civil governance, individual rights, and the obligations of the United States to indigenous peoples within its territories. Article 3 of the Northwest Ordinance provides: “The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent.”

Article 3 — Indian Reorganization Act of 1934 (Wheeler-Howard Act)

The Okla Falaya Band hereby invokes the authority of the Indian Reorganization Act of 1934 (48 Stat. 984, 25 U.S.C. § 461 et seq.), also known as the Wheeler-Howard Act. Sections 1 through 19 of the Act establish the authority for tribal self-governance, the acquisition of lands in trust for Indian tribes, and the organizational rights of Indian communities. The Act authorizes the Secretary of the Interior to:

- Acquire lands in trust for the benefit of Indian tribes and individuals (Section 5);
- Organize and charter tribal governments (Sections 16 and 17);
- Establish a revolving credit fund for economic development (Section 10); and
- Extend educational opportunities to members of Indian tribes (Section 11).

Article 4 — Canonum De Ius Rex — Rogation (Canon 6885–6886)

The Okla Falaya Band acknowledges and invokes the ecclesiastical authority and divine law foundations established under the Canonum De Ius Rex, Canon 6885 through Canon 6886. These canons provide the spiritual and ecclesiastical framework within which the Nation's governance authority is exercised, recognizing the inseparability of sacred law and temporal governance in the tradition of the Okla Falaya people.

Article 5 — Letter of Rogatory and Trust Declarations

The Okla Falaya Band hereby issues this Letter of Rogatory to all federal agencies of competent jurisdiction, requesting recognition of and cooperation with the following trust entities and administrative instruments:

Entity	Trust ID	Designation

CHOC (Main Government Trust)	——6982	Primary Governance Trust
Nation of Okla Falaya LLC	——5844	508(C)(1)(A) Faith Based Organization
Temple Mosque	——6259	Sacred / Religious Entity
Okla Falaya Estate Corp	——6313	Estate Administration
Montgomery Family Trust	——7444	Family Trust / Fiduciary
Police the Police-Internal	——4632	Internal Oversight
Okla Falaya Dispensary	——7604	Health / Dispensary Operations
Burning Bush Grow House	——4642	Agricultural Operations

The foregoing trust entities are registered with the Internal Revenue Service and operate under the governance authority of the Okla Falaya Band. All applicable OMB control numbers and federal agency addresses are on file with the respective agencies.

Article 6 — Free Trade Agreement and Infrastructure

The Okla Falaya Band hereby invokes the provisions of the Morocco Free Trade Agreement and related international trade instruments. The Nation's engagement in international commerce is conducted pursuant to applicable federal regulations, including OMB 1651-0117. The Nation reserves all rights and privileges afforded to indigenous sovereign entities under applicable free trade agreements and international law.

Article 7 — Dispensary and Agricultural Operations

The Okla Falaya Band operates the following entities in furtherance of its self-governance and economic development objectives:

- **Okla Falaya Dispensary (Trust ID ——7604):** Established for the provision of health and wellness services to members of the Okla Falaya Band.
- **Burning Bush Grow House (Trust ID ——4642):** Established for agricultural operations, including an agricultural pilot program designed to promote food sovereignty and economic self-sufficiency.

Article 8 — Indian Country Jurisdiction and Treaty Protections

The Okla Falaya Band asserts jurisdiction over Indian Country as defined by 18 U.S.C. § 1151, which provides that "Indian country" means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, (b) all dependent Indian communities within the borders of the United States, and (c) all Indian allotments, the Indian titles to which have not been extinguished.

The petitioner relies upon the following case law in support of its jurisdictional claims:

- ***Cherokee Nation v. Georgia*** — establishing the status of Indian tribes as "domestic dependent nations"

- ***Beccher v. Wetherby* —** affirming federal trust obligations with respect to Indian lands
- ***United States v. Choctaw Nation et al.*, 38 Ct. Cl. 558 —** adjudicating the rights and claims of the Choctaw Nation

Article 9 — Land Tenure, Property Holdings, and Allotment

The Okla Falaya Band asserts claims to land and property based upon the following treaty provisions and allotment authorities:

- **Treaty of Dancing Rabbit Creek, Article XIV:** 640-acre allotment guarantee for each head of family
- **Treaty of 1866, Article 3:** 40-acre Freedmen entitlements
- **Atoka Agreement (30 Stat. 495):** All lands in Indian Territory belonging to the Choctaw and Chickasaw to be allotted
- **Supplemental Agreement (32 Stat. 641):** Each member allotted land equal in value to 320 acres; each freedman allotted land equal to 40 acres of average land
- ***Allen v. Trimmer* (1914 OK 550, 144 P. 795):** Adjudicating Chickasaw Freedmen allotment rights

Chickasaw Freedmen allotment provisions provide for 40 acres to each freedman, nontaxable for twenty-one (21) years, with a 160-acre homestead inalienable for twenty-one (21) years.

The Nation references seventy or more (70+) properties, with the following accession numbers on file: IA-0493-074, IA-0493-078, IA-0493-079, IA-0493-081, IA-0493-085, IA-0493-094, and 984730.

No Encumbrances / No Liens Statement

The following parcels are held by the Montgomery Family Irrevocable Trust, free and clear of all encumbrances, liens, and adverse claims:

Parcel ID	Recording No.	Legal Description	County
006-0187-10000	A1282932	Lot 12, CSM 4063	Sauk County
006-0215-00000	A1284956	Section 11, Township 13N, Range 5E, NW of SE	Sauk County
008-0210-00000	A1285769	Section 10, Township 12N, Range 6E	Sauk County

Full title review has been conducted through the Sauk County Recorder's Office. All taxes are paid and current. No outstanding liens, encumbrances, or adverse claims exist against any of the foregoing parcels.

Signed: El Haq Malak Bey, Trustee-Authorized Representative, Montgomery Family Irrevocable Trust.

Article 10 — Tribal Business and Estate Instruments

The Okla Falaya Band conducts its business and estate affairs through the **Okla Falaya Estate Corp (Trust ID ——6313)**. The operations of the Estate Corp are governed by a **33-Degree Operating Agreement**, which establishes the management structure, membership interests, and operational procedures for the entity.

Article 11 — Enrollment, Competency, and Housing

The Okla Falaya Band participates in and invokes the protections of the Indian Housing Program, OMB 25:03:80:080. The Nation is committed to providing adequate housing and related services to its members and seeks to access all federal housing programs for which its members are eligible upon federal acknowledgment.

Article 12 — Appropriations and Financial Instruments

The Okla Falaya Band hereby establishes and claims the following financial instruments and appropriations in furtherance of its self-governance objectives:

- **Revolving Fund:** $40,000,000 (Forty Million Dollars) — established pursuant to the authority of the Indian Reorganization Act of 1934, Section 10, for the purpose of economic development, land acquisition, and community infrastructure.
- **Annual Education Appropriation:** $250,000 (Two Hundred Fifty Thousand Dollars) per annum — established pursuant to the treaty-based education obligations of the United States, including the Treaty of Dancing Rabbit Creek (Article XX), the Treaty with the Choctaw (1820), the Treaty with the Choctaw (1825), and the Treaty with the Choctaw (1837).

Article 13 — Temple Mosque and Sacred Declarations

The **Temple Mosque (Trust ID ——6259)** is the sacred and ecclesiastical body of the Okla Falaya Band. The Temple Mosque is organized and operated exclusively for religious, spiritual, and cultural purposes. It serves as the spiritual center of the Nation and the repository of sacred traditions, ceremonies, and declarations of the Okla Falaya people.

Part II — Proof of Claim: Our Right to Redemption

Chapter 1 — Treaty Foundations and Pacta Sunt Servanda

The Okla Falaya Band invokes the doctrine of *pacta sunt servanda* — "agreements must be kept" — as the foundational principle governing the obligations of the United States to the Choctaw Freedmen and their descendants. The following treaties establish perpetual federal obligations that have not been abrogated, terminated, or superseded:

Treaty	**Key Provisions and Obligations**
Treaty of Dancing Rabbit Creek (1830)	Article XIV: 640-acre allotment guarantee. Article XX: education provisions. Perpetual federal obligations to Choctaw descendants including Freedmen.
Treaty of 1866	Article 3: $300,000 fund; 40-acre Freedmen entitlements. Territory west of the 98th longitude. Freedmen adoption provisions.
Treaty of Hopewell (January 3, 1786)	Choctaw acknowledgment of American sovereignty. Federal protection of tribal sovereignty. Reciprocal obligations.
Treaty of Tripoli (1796)	Non-Christian political identities protection. Federal recognition of diverse political and religious identities.
Treaty of Fort Smith	Post-Civil War reaffirmation of tribal obligations. Confirmation of Freedmen rights.

Treaty with the Choctaw (1820)	Schools and federal funding for education of Choctaw people.
Treaty with the Choctaw (1825)	$6,000 annual payment for schools.
Treaty with the Choctaw (1837)	Additional education funding.
Treaty of Peace and Friendship (1836)	Al-Moroccan Emperor provisions.

All of the foregoing treaties remain in full force and effect. The United States has not enacted any legislation abrogating these treaties or terminating the obligations created thereby. The Okla Falaya Band, as the lineal descendants of the Choctaw Freedmen, is entitled to the full benefit of all rights, entitlements, and protections established by these instruments.

Chapter 2 — Genealogical Lineage and Jus Soli / Jus Sanguinis

The Okla Falaya Band asserts its claim to federal acknowledgment on the basis of both *jus soli* (right of the soil — birthright citizenship) and *jus sanguinis* (right of blood — descent-based citizenship). The five-generation lineage from Elias Smoot (documented in 1865 Freedmen's Bureau records) through Clinton Lamont Montgomery (El Haq Malak Bey) establishes an unbroken chain of descent from the Choctaw Freedmen to the present-day leadership of the Okla Falaya Band.

This dual claim of birthright and blood citizenship is consistent with the treaty-based rights of the Choctaw Freedmen and their descendants, who acquired their status both by birth within

Choctaw territory and by descent from persons recognized as members of the Choctaw community.

Chapter 3 — National Character and Freedmen Rights

The Freedmen status of the ancestors of the Okla Falaya Band is established under Article 3 of the Treaty of 1866. This article provided for a $300,000 fund for the benefit of Freedmen and established 40-acre land entitlements for each Freedman adopted into the Choctaw or Chickasaw Nations.

Governor B.F. Overton's 1877 approval of Freedmen enrollment further confirmed the political status of the Choctaw Freedmen within the Choctaw-Chickasaw political structure. The Court of Claims was vested with authority to determine the rights of Chickasaw Freedmen, and the resulting adjudications established the legal framework for Freedmen rights that persists to this day.

The national character of the Okla Falaya Band is rooted in the Freedmen's dual identity as both indigenous community members and formerly enslaved persons whose rights were guaranteed by treaty. This unique national character entitles the Okla Falaya Band to all protections afforded to both indigenous peoples and Freedmen under federal law.

Chapter 4 — Eminent Domain and Trust Fund Claims

The Okla Falaya Band asserts claims against the federal trust established by the Treaty of 1866 and related instruments. The United States, as trustee, bears a fiduciary obligation to administer the trust funds and lands established for the benefit of the Choctaw Freedmen and their descendants. The resulting trust doctrine holds that where property is acquired through the use of

trust funds or pursuant to treaty obligations, a resulting trust arises in favor of the beneficiaries of the original treaty.

The failure of the United States to disburse the $300,000 fund established under the Treaty of 1866, to allot the 40-acre entitlements promised to Freedmen, or to fulfill its education obligations under the various Choctaw treaties constitutes a breach of trust for which the United States bears continuing liability.

Chapter 5 — Vienna Convention and Expatriation

The Okla Falaya Band invokes the protections of the Vienna Convention on Consular Relations, the Vienna Convention on the Law of Treaties, and the right of expatriation recognized under international law. These instruments protect the rights of indigenous peoples to maintain their national identity, to be free from involuntary denationalization, and to exercise self-determination in accordance with the principles of international law.

Chapter 6 — Resulting Trust and Citizenship

The trust obligations of the United States flow directly from the treaty commitments described in Chapter 1. The Choctaw Freedmen and their descendants are the beneficiaries of a resulting trust that arises from the treaty-based obligations of the United States. The citizenship rights of the Freedmen descendants are inherent, having been established by treaty, confirmed by federal administrative action, and never abrogated by Congress.

The Okla Falaya Band asserts that its members are entitled to full citizenship rights within the Choctaw Freedmen community, to the benefits of the federal trust, and to all rights and protections afforded to members of Indian tribes under federal law.

Exhibit A — Federal Administrative Footprint

SAFER Web USDOT Record:

Field	Record
Legal Name	Better World Fund Inc.
DBA	Brahman Spirit Tribe
USDOT Number	4152362
Registration	SAFER Web, Federal Motor Carrier Safety Administration
UNA Membership	UNA OF THE USA: BETTER WORLD FUND INC., ID-UNA0530181

Appendix — Foundational Membership Roll of Okla Falaya

The following individuals constitute the Foundational Membership Roll of the Okla Falaya Band of Mississippi Choctaw Freedmen:

No.	Name	Designation

1	El Haq Malak Bey	Principal Claimant / Principal Chief
2	Aalina Montgomery	Member
3	Aamariah Montgomery	Member
4	Yahira Montgomery	Member
5	Iziyah Bey	Member

BOOK III

SUPPORTING INSTRUMENTS AND EXHIBITS

Instrument 1 — Unified Exhibit Index

Submitted to the U.S. Department of the Interior, Bureau of Indian Affairs, Office of Federal Acknowledgment.

Section A — Treaty and Federal Authority Documents

Exhibit	Description

A-1	Treaty of Dancing Rabbit Creek (1830) — Full Text
A-2	List of Indian Treaties (1819–1838) — DOI Compilation
A-3	Treaty of Hopewell (1786) — Summary and Citations
A-4	Treaty of Tripoli (1796) — Federal Obligations Excerpt
A-5	Treaty-Based Political Status Statement

Section B — Genealogical and Community Continuity Evidence

Exhibit	Description
B-1	Elias Smoot Freedmen Roll
B-2	Freedmen's Bureau Labor Contracts (1865)
B-3	1870 Census — Madison County, Mississippi
B-4	1900 Census — Williams Household

B-5	1920 Census — Smoot Household
B-6	Jerry Williams and Viola Williams Freedmen Lineage
B-7	Membership Roll — Okla Falaya Band
B-8	Continuity of Community Report

Section C — Political Activity and Governance

Exhibit	Description
C-1	OFA Community Narrative
C-2	Political Committee Documentation (Allies of Clinton Montgomery, ID# 36260)
C-3	External Documentation of Political Activity
C-4	Media Validation (Forbes and Independent National Media)
C-5	Indian Charter and Governing Instrument (71C01-2006-TR-000002)

C-6	Statement of Facts

Section D — Land Ownership and Trust Acquisition

Exhibit	Description
D-1	Affidavit of Ownership — Sauk County
D-2	Recorded Deeds (A1282932, A1284956, A1285769)
D-3	Property to Be Put Into Trust
D-4	Fee-to-Trust Application (Individual Indian)
D-5	Executive Summary (Trust Acquisition)
D-6	No Encumbrances / No Liens Statement

Section E — Organizational Legitimacy

Exhibit	Description

E-1	Better World Fund Federal Footprint (SAFER Web)
E-2	IRS Proof (Multiple Trust IDs)
E-3	UNA-USA Membership (ID-UNA0530181)
E-4	Federal Claim Documentation
E-5	Court Filings (Cook County)

Section F — Correspondence and Administrative Records

Exhibit	Description
F-1	OFA Correspondence (including March 18, 2026 acknowledgment of receipt)
F-2	Certificate of Service
F-3	Civil Cover Sheet
F-4	Declaratory Relief Exhibits

F-5	Email Correspondence

Instrument 2 — Treaty Summary Appendix (OFA/IBIA Style)

No.	Treaty	Key Provisions and Federal Obligations
1	Treaty of Dancing Rabbit Creek (1830)	Articles I, II, IV, XIV, XX, and Supplemental Articles. Perpetual federal obligations to Choctaw descendants including Freedmen. Article XIV: 640-acre allotment guarantee. Article XX: education provisions.
2	Treaty with the Choctaw (1820)	Schools and federal funding for education of Choctaw people.
3	Treaty with the Choctaw (1825)	$6,000 annual payment for schools.
4	Treaty with the Choctaw (1837)	Additional education funding.

5	Treaty of Hopewell (1786)	Tribal sovereignty and federal protection. Choctaw acknowledgment of American sovereignty.
6	Treaty of Tripoli (1796)	Non-Christian political identities protection.
7	Treaty of 1866	Article 3: $300,000 fund; 40-acre Freedmen entitlements. Territory west of 98th longitude.
8	Atoka Agreement (30 Stat. 495)	Allotment of all Choctaw and Chickasaw lands in Indian Territory.
9	Supplemental Agreement (32 Stat. 641)	320 acres per member; 40 acres per freedman.
10	Treaty of Peace and Friendship (1836)	Al-Moroccan Emperor provisions.

Instrument 3 — Scholarly Authority: Forbes on Native American Classification

Reference: Jack D. Forbes, *The Classification of Native Americans as Mulattoes in Anglo-North America*.

This scholarly work establishes that racial classification as “Negro” or “Mulatto” in historical census records and other government documents does not negate Native American ancestry. Forbes documents the widespread practice of Anglo-American governments classifying persons of mixed Native American and African descent under racial categories that obscured and denied their indigenous identity.

The following authorities are cited in support of this position:

- **Bureau of American Ethnology:** “A considerable proportion of the blood of the southern Negroes is unquestionably Indian.”
- **James Hugo Johnston (1937):** Documented that the mixed race population in America resulted from the union of Indian, Negro, and white populations; that many Indians were enslaved along the eastern seaboard; and that Indian blood was absorbed into the Negro slave population.
- **Almon W. Lauber, *Indian Slavery in Colonial Times* (1913):** Established the historical record of Indian enslavement and the consequent admixture of Native American and African-American populations.

These authorities collectively support the evidentiary claim of the Okla Falaya Band that Freedmen classified in United States Census records as “Negro,” “Mulatto,” or “Black” maintain Choctaw identity and ancestry, and that such racial classifications do not extinguish treaty-based rights or tribal membership.

Instrument 4 — Legal Authorities and Case Citations

Case Law

Case / Authority	Relevance
Cherokee Nation v. Georgia	Established Indian tribes as "domestic dependent nations" with inherent sovereignty.
Beccher v. Wetherby	Affirmed federal trust obligations with respect to Indian lands.
United States v. Choctaw Nation et al., 38 Ct. Cl. 558	Adjudicated the rights and claims of the Choctaw Nation.
Allen v. Trimmer (1914 OK 550, 144 P. 795)	Chickasaw Freedmen allotment rights.
Mr. Justice Gray Doctrine	Civil government cannot extend immediately over territory acquired by war; governed by military power under the President.

Statutes and Regulations

Authority	Relevance
18 U.S.C. § 1151	Definition of "Indian Country"

25 U.S.C. § 458aaa	Tribal Self-Governance
25 CFR Part 83	Procedures for Federal Acknowledgment of Indian Tribes
25 CFR Part 1000 (Appendix A)	Model Compact of Self-Governance
Northwest Ordinance of 1787 (1 Stat. 50)	Foundational governance and Indian rights protections
Indian Reorganization Act of 1934 (48 Stat. 984)	Tribal self-governance, trust land acquisition, organizational authority
Canonum De Ius Rex (Canon 6885–6886)	Ecclesiastical authority and divine law foundations

CLOSING

This Unified Covenant and Petition is submitted as a single, perfected instrument consolidating eight (8) source documents into a comprehensive record for federal submission. The Okla Falaya Band of Mississippi Choctaw Freedmen respectfully petitions the United States Department of the Interior, Bureau of Indian Affairs, Office of Federal Acknowledgment, to review this instrument and to grant federal acknowledgment to the Okla Falaya Band in accordance with 25 CFR Part 83.

Signature Block

El Haq Malak Bey, Principal Chief

UNA-0530181

Nation of Okla Falaya

Council:

Clinton Montgomery

Council Member

Aalina Avery Sade Montgomery

Council Member

Contact Information

Item	Details
Headquarters	S944 Christmas Mountain, Wisconsin Dells WI 53965
Correspondence Address	8445 Newby St. St Louis MO 63147

Telephone	312-210-2704 / 773-916-8601
Email	Dayesodofyah@gmail.com / montgomeryfamilyirrevocable@gmail.com
Federal Communications Number	0028808145
USDOT	4152362

Notary Acknowledgment

STATE OF MISSOURI

COUNTY OF ST. LOUIS

Subscribed and sworn before me this 18th day of March, 2026.

The undersigned notary public hereby certifies that **El Haq Malak Bey**, personally known to me (or proved to me on the basis of satisfactory evidence), appeared before me and acknowledged that he executed the foregoing instrument in his authorized capacity as Principal Chief of the Okla Falaya Band of Mississippi Choctaw Freedmen, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument for the purposes therein stated.

WITNESS my hand and official seal.

Notary Public, State of Missouri

Commission Expires: 04.11.2028

[SEAL]

SET IN TRUTH · HELD IN BALANCE · WALKED IN PURPOSE

— END OF INSTRUMENT —